

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

CHRISTOPHER WARD,

Petitioner,

v.

JAMES E. DONALD,

Respondent.

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CIVIL ACTION NO. 5:08-CV-64 (MTT)

ORDER

This matter is before the Court on the Recommendation (Doc. 24) of United States Magistrate Judge Charles H. Weigle. The Magistrate Judge recommends denying the Petitioner's Petition seeking federal habeas corpus relief (Doc. 1) because the Petitioner's stated grounds for relief are either procedurally defaulted or without merit. The Petitioner did not file an objection to the Recommendation.

In total, the Petitioner asserts five grounds for relief. The claims raised in grounds one through four of the Petition are identical to those raised by the Petitioner in his *state* habeas petition. The state habeas court found all of these claims to be procedurally barred pursuant to O.C.G.A. § 9-14-48(d). Thus, because "[a] state court's rejection of a petitioner's constitutional claim on state procedural grounds will generally preclude any subsequent federal habeas review of that claim," and the Petitioner's claims do not fall within any exception to this general rule, grounds one through four remain procedurally defaulted and must fail. *Judd v. Haley*, 250 F.3d 1308, 1313 (11th Cir. 2001).

In the Petitioner's fifth and final ground for relief, he alleges that "Judge Clarence Blount denied [his] [state] habeas petition under a[n] inept habeas procedure." Having reviewed this assertion, the Magistrate Judge concluded, and the Court agrees, that ground five is without merit.

For the reasons set forth above, the Recommendation is adopted and made the order of this Court. The Petition of Christopher Ward for habeas corpus relief under the provisions of 28 U.S.C. § 2254 is **DENIED**.

SO ORDERED, this 7th day of December, 2010.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT